

## United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

MICHELLE M. BUERGER

v.

JIMMY L. CLIFTON, ET AL.

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Civil Action No. 4:18-CV-78

(Judge Mazzant/Judge Nowak)

### **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On January 7, 2021, the report of the Magistrate Judge (Dkt. #39) was entered containing proposed findings of fact and recommendations that Plaintiff Michelle M. Buerger's Motion for Default Judgment (Dkt. #34) be denied.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff Michelle M. Buerger's Motion for Default Judgment (Dkt. #34) is **DENIED**.

It is further **ORDERED** that Plaintiff Michelle M. Buerger shall file an amended complaint within fourteen (14) days of entry of this Memorandum Adopting. Failure to comply will result in dismissal under Federal Rule of Civil Procedure 41(b).

**IT IS SO ORDERED.**

**SIGNED this 25th day of February, 2021.**



AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE